

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

186R0321

HOUSE BILL NO. 1054

Introduced by: The Committee on Local Government at the request of the State Board of
Elections

1 FOR AN ACT ENTITLED, An Act to provide independent voters voting absentee the
2 appropriate ballot during a primary election and to declare an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 12-19 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 If an absentee voter in a primary election is registered as an independent and is eligible to
7 vote more than one ballot style pursuant to § 12-6-26, the voter may specify the voter's ballot
8 style preference on the absentee ballot application. If no ballot style is designated, the absentee
9 voter shall be provided a nonpolitical ballot.

10 If an absentee voter in a primary election is registered as an independent and is only eligible
11 to vote one ballot style, the absentee voter shall be provided that ballot style. If more than one
12 party allows independent voters to be eligible to vote in a primary election and no nonpolitical
13 ballot is available and the absentee voter does not designate the ballot style to be received, no
14 ballot may be provided to the absentee voter.

15 Section 2. Whereas, this Act is necessary for the support of the state government and its



- 1 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
- 2 full force and effect from and after its passage and approval.